



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

NR/EDP  
F. #2018R02250

*271 Cadman Plaza East  
Brooklyn, New York 11201*

March 24, 2021

By Hand Delivery and ECF

Tor Ekeland  
Tor Ekeland Law PLLC  
30 Wall Street, 8th Floor  
New York, NY 10005  
tor@torekeland.com

Re: United States v. Douglass Mackey  
Criminal Docket No. 21-80 (NGG)

Dear Mr. Ekeland:

Enclosed please find the discovery from the government in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The materials are provided on the attached thumb drive. The government also requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. Statements of the Defendant

Enclosed please find the following: investigative reports containing statements of the defendant, bearing Bates numbers GOV-MACKEY-00000011-13, and recordings containing statements of the defendant, located in folders bearing Bates numbers GOV-MACKEY-00000043-53.

Enclosed please find materials provided by Twitter in connection with search warrants. These materials relate to the following Twitter accounts, contained in folders bearing the following Bates numbers: @Ricky\_Vaughn99, GOV-MACKEY-00000014 and GOV-MACKEY-00000030; @TheRickyVaughn, GOV-MACKEY-00000016 and GOV-MACKEY-00000031; VRichard1776, GOV-MACKEY-00000017; and @ReturnofRV, GOV-MACKEY-00000039.

Enclosed please find materials provided by Facebook relating to the Facebook account DeplorableVaughn, contained in the folder bearing Bates number GOV-MACKEY-00000041.

Enclosed please find materials provided by Gmail relating to the Gmail account Rickyvaughniv@gmail.com, contained in the folder bearing Bates number GOV-MACKEY-00000042.

B. The Defendant's Criminal History

Enclosed please find the defendant's criminal history, bearing Bates numbers GOV-MACKEY-00000001-10.

C. Documents and Tangible Objects

Enclosed please find additional materials provided by Twitter in connection with search warrants, contained in the folders bearing Bates numbers GOV-MACKEY-00000018-29 and GOV-MACKEY-00000032-38. You may examine the physical evidence discoverable under Rule 16, including original documents, by calling me to arrange a mutually convenient time.

D. Reports of Examinations and Tests

The government will provide you with copies of any additional reports of examinations or tests in this case as they become available.

E. Expert Witnesses

The government will comply with Fed. R. Crim. P. 16(a)(1)(G) and Fed. R. Evid. 702, 703 and 705 and notify you in a timely fashion of any expert that the government intends to call at trial and provide you with a summary of the expert's opinion. The identity, qualifications, and bases for the conclusions of each expert will be provided to you when they become available.

F. Brady Material

The government is not aware of any exculpatory material regarding the defendant. The government understands and will comply with its continuing obligation to produce exculpatory material as defined by Brady v. Maryland, 373 U.S. 83 (1963), and its progeny.

Before trial, the government will furnish materials discoverable pursuant to Title 18, United States Code, Section 3500, as well as impeachment materials. See Giglio v. United States, 405 U.S. 150 (1972).

G. Other Crimes, Wrongs or Acts

The government will provide the defendant with reasonable notice in advance of trial if it intends to offer any material under Fed. R. Evid. 404(b).

## II. The Defendant's Required Disclosures

The government hereby requests reciprocal discovery under Rule 16(b) of the Federal Rules of Criminal Procedure. The government requests that the defendant allow inspection and copying of (1) any books, papers, documents, data, photographs, tapes, tangible objects, or copies or portions thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely on at trial, and (2) any results or reports of physical or mental examinations and of scientific tests or experiments made in connection with this case, or copies thereof, that are in the defendant's possession, custody or control, and that the defendant intends to introduce as evidence or otherwise rely upon at trial, or that were prepared by a witness whom the defendant intends to call at trial.

The government also requests that the defendant disclose prior statements of witnesses who will be called by the defendant to testify. See Fed. R. Crim. P. 26.2. In order to avoid unnecessary delays, the government requests that the defendant have copies of those statements available for production to the government no later than the commencement of trial.

The government also requests that the defendant disclose a written summary of testimony that the defendant intends to use as evidence at trial under Rules 702, 703, and 705 of the Federal Rules of Evidence. The summary should describe the opinions of the witnesses, the bases and reasons for the opinions, and the qualification of the witnesses.

Pursuant to Fed. R. Crim. P. 12.3, the government hereby demands written notice of the defendant's intention, if any, to claim a defense of actual or believed exercise of public authority, and also demands the names and addresses of the witnesses upon whom the defendant intends to rely in establishing the defense identified in any such notice.

## III. Future Discussions

If you have any questions or requests regarding further discovery or a disposition of this matter, please do not hesitate to contact me.

Please be advised that, pursuant to the policy of the Office concerning plea offers and negotiations, no plea offer is effective unless and until made in writing and signed by authorized representatives of the Office. In particular, any discussion regarding the pretrial disposition of a matter that is not reduced to writing and signed by authorized representatives of

the Office cannot and does not constitute a “formal offer” or a “plea offer,” as those terms are used in Lafler v. Cooper, 132 S. Ct. 1376 (2012), and Missouri v. Frye, 132 S. Ct. 1399 (2012).

Very truly yours,

MARK J. LESKO  
Acting United States Attorney

By: /s/ Erik D. Paulsen  
Erik D. Paulsen  
Assistant U.S. Attorney  
(718) 254-6135

Enclosures

cc: Clerk of the Court (NGG) (by ECF) (without enclosures)



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

NR/EDP  
F. #2018R02250

*271 Cadman Plaza East  
Brooklyn, New York 11201*

June 4, 2021

By Email and ECF

Tor Ekeland  
Tor Ekeland Law PLLC  
30 Wall Street, 8th Floor  
New York, NY 10005  
tor@torekeland.com

Re: United States v. Douglass Mackey  
Criminal Docket No. 21-80 (NGG)

Dear Mr. Ekeland:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The materials are provided on the attached thumb drive. The government also requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. Documents and Tangible Objects

Enclosed please find the following materials obtained pursuant to grand jury subpoena in this matter:

1. Records obtained from AT&T, Bates No. GOV-MACKEY-00000054-00001461;
2. Records obtained from BMO Harris Bank, Bates No. GOV-MACKEY-00001462-00001478;
3. Records obtained from Capital One., Bates No. GOV-MACKEY-00001479-00001657;
4. Records obtained from Charles Schwab Corp., Bates No. GOV-MACKEY-00001658-00001691;
5. Records obtained from Charter Communications, Bates No. GOV-MACKEY-00001692-00001698;
6. Records obtained from Citibank, Bates No. GOV-MACKEY-00001699-00001712;
7. Records obtained from Comcast, Bates No. GOV-MACKEY-00001713-00001715;

8. Records obtained from Digital Ocean LLC, Bates No. GOV-MACKEY-00001716-00001744;
9. Records obtained from Discover Bank; Bates No. GOV-MACKEY-00001745-00001790;
10. Records obtained from Experian, Bates No. GOV-MACKEY-00001791-00001793;
11. Records obtained from Facebook, Bates No. GOV-MACKEY-00001794-00001808;
12. Records obtained from GigaNET, Bates No. GOV-MACKEY-00001809-00001810;
13. Records obtained from Google, Bates No, GOV- MACKEY-00001811-00001824;
14. Records obtained from Hosting Services, Bates No, GOV-MACKEY-00001825;
15. Records obtained from John Dunham & Associates, Bates No, GOV-MACKEY-00001826-00001928;
16. Records obtained from J.P. Morgan Chase, Bates No, GOV-MACKEY-00001929-00002283;
17. Records obtained from Lexington Avenue Realty Corp., Bates No, GOV-MACKEY-00002284-00002371;
18. Records obtained from Mail.com, Bates No, GOV-MACKEY-00002372-00002381;
19. Records obtained from Microsoft (Outlook), Bates No, GOV-MACKEY-00002401-00002407;
20. Records obtained from Middlebury Corp., Bates No, GOV-MACKEY-00002382-00002389;
21. Records obtained from Namecheap, Bates No, GOV-MACKEY-00002390-00002400;
22. Records obtained from Spotify, Bates No, GOV-MACKEY-00002408;
23. Records obtained from Sprint, Bates No, GOV-MACKEY-00002409-00002416;
24. Records obtained from SuperNetwork SRO, Bates No, GOV-MACKEY-00002417;
25. Records obtained from TD Bank, Bates No, GOV-MACKEY-00002418-00002457;
26. Records obtained from T-Mobile, Bates No, GOV-MACKEY-00002458-00002552;
27. Records obtained from Twitter, Bates No, GOV-MACKEY-00002573-00002578;
28. Records obtained from University of Memphis, Bates No, GOV-MACKEY-00002579-00002580;
29. Records obtained from Verizon and Verizon Fios, Bates No, GOV-MACKEY-00002581-00002748;
30. Records obtained from Windstream Communications, Bates No, GOV-MACKEY-00002749;
31. Additional records obtained from T-Mobile, Bates No, GOV-MACKEY-00002750-00002757;
32. Additional records obtained from AT&T, Bates No, GOV-MACKEY-00002758;
33. Records obtained from the New York State Department of Motor Vehicles, Bates No, GOV-MACKEY-00002759 – 00002761; and
34. Records obtained from the New York State Board of Elections, Bates No, GOV-MACKEY-00002762-00002831.

Please do not hesitate to contact me with any questions regarding the above materials.

Very truly yours,

MARK J. LESKO  
Acting United States Attorney

By: /s/ Nathan Reilly  
Nathan Reilly  
Assistant U.S. Attorney  
(718) 254-6196

Enclosures

cc: Clerk of the Court (NGG) (by ECF) (without enclosures)



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

EDP  
F. #2018R02250

*271 Cadman Plaza East  
Brooklyn, New York 11201*

July 21, 2021

By Email, ECF, and Hand Delivery

Tor Ekeland  
Tor Ekeland Law PLLC  
30 Wall Street, 8th Floor  
New York, NY 10005  
tor@torekeland.com

Re: United States v. Douglass Mackey  
Criminal Docket No. 21-80 (NGG)

Dear Mr. Ekeland:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. A portion of the materials will be provided by electronic file transfer to members of your office, and the remainder will be produced on three physical disks to be hand-delivered to you at your home or office. The government also requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. Documents and Tangible Objects

Enclosed please find the following materials:

1. Documents related to a search warrant application dated on or about April 15, 2019, bearing Bates numbers GOV-MACKEY-00002919 – GOV-MACKEY-00002952;
2. Documents relating to materials obtained from the April 15, 2019 search warrant, bearing Bates numbers GOV-MACKEY-00003099 - GOV-MACKEY-00003121 (including three DVDs provided in hard copy);
3. Documents related to a search warrant application dated on or about November 22, 2019, bearing Bates numbers GOV-MACKEY-00002953 – GOV-MACKEY-00003003;
4. Documents related to a search warrant application dated on or about October 2, 2020, bearing Bates numbers GOV-MACKEY-00003004 - GOV-MACKEY-00003044;

5. Documents relating to materials obtained from the October 2, 2020 search warrant, bearing Bates number GOV-MACKEY-00000040;
6. Documents related to a search warrant application dated on or about December 2, 2020, bearing Bates numbers GOV-MACKEY-00003045 - GOV-MACKEY-00003098;
7. Documents relating to a pen register application dated on or about December 12, 2018, bearing Bates numbers GOV-MACKEY-00002762 - GOV-MACKEY-00002775;
8. Documents related to a 2703(d) order dated on or about January 18, 2019, bearing Bates numbers GOV-MACKEY-00002776 - GOV-MACKEY-00002802;
9. Documents related to a 2703(d) order dated on or about August 19, 2019, bearing Bates numbers GOV-MACKEY-00002803 - GOV-MACKEY-00002846;
10. Documents related to a 2703(d) order dated on or about June 22, 2020, bearing Bates numbers GOV-MACKEY-00002847 - GOV-MACKEY-00002875; and
11. Documents relating to a prospective cell cite application register dated on or about January 25, 2021, bearing Bates numbers GOV-MACKEY-00002876 - GOV-MACKEY-00002918.

Please do not hesitate to contact me with any questions regarding the above materials.

Very truly yours,

JACQUELINE M. KASULIS  
Acting United States Attorney

By: /s/ Erik Paulsen  
Erik Paulsen  
Assistant U.S. Attorney  
(718) 254-6135

Enclosures

cc: Clerk of the Court (NGG) (by ECF) (without enclosures)



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

EDP  
F. #2018R02250

*271 Cadman Plaza East  
Brooklyn, New York 11201*

August 26, 2021

By Email, ECF, and Hand Delivery

Tor Ekeland  
Tor Ekeland Law PLLC  
30 Wall Street, 8th Floor  
New York, NY 10005  
tor@torekeland.com

Re: United States v. Douglass Mackey  
Criminal Docket No. 21-80 (NGG)

Dear Mr. Ekeland:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The government also requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. Documents and Tangible Objects

Enclosed please find the following materials, which are provided as five load files that include natives and tiffs, among other information:

1. Documents deemed responsive to the search warrant application dated on or about November 22, 2019 (Bates numbers GOV-MACKEY-00002953-3003). These documents relate to the Ricky\_Vaughn99 Twitter account, and bear Bates number GOV-MACKEY-00003122;
2. Documents deemed responsive to the search warrant application dated on or about November 22, 2019. These documents relate to the TheRickyVaughn Twitter account, and bear Bates numbers GOV-MACKEY-00003123;

3. Documents deemed responsive to the search warrant application dated on or about November 22, 2019. These documents relate to the 1080p Twitter account, and bear Bates number GOV-MACKEY-00003126;
4. Documents deemed responsive to the search warrant application dated on or about November 22, 2019. These documents relate to the Rabite Twitter account, and bear Bates number GOV-MACKEY-00003125; and
5. Documents deemed responsive to the search warrant application dated on or about October 2, 2020 (Bates numbers GOV-MACKEY-00003004-3044). These documents relate to the ReturnofRV Twitter account, and bear Bates number GOV-MACKEY-00003124.

Please do not hesitate to contact me with any questions regarding the above materials.

Very truly yours,

JACQUELINE M. KASULIS  
Acting United States Attorney

By: /s/ Erik Paulsen  
Erik Paulsen  
Assistant U.S. Attorney  
(718) 254-6135

Enclosures

cc: Clerk of the Court (NGG) (by ECF) (without enclosures)



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

EDP  
F. #2018R02250

*271 Cadman Plaza East  
Brooklyn, New York 11201*

August 26, 2021

By Email, ECF, and Hand Delivery

Tor Ekeland  
Tor Ekeland Law PLLC  
30 Wall Street, 8th Floor  
New York, NY 10005  
tor@torekeland.com

Re: United States v. Douglass Mackey  
Criminal Docket No. 21-80 (NGG)

Dear Mr. Ekeland:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The government also requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. Documents and Tangible Objects

Enclosed please find the following materials:

1. Documents related to a search warrant application dated on or about April 1, 2021, bearing Bates numbers GOV-MACKEY-00003132-57; and
2. Materials provided by Twitter in response to the above-referenced warrant, and to supplement previous warrant requests. These materials include the following: documents concerning engagement data of certain tweets by the defendant (GOV-MACKEY-00003130); materials concerning retweets of certain tweets by the defendant (GOV-MACKEY-00003131); and materials concerning enforcement actions relating to individual accounts subject to previous search warrants (GOV-MACKEY-00003127-29).

Please do not hesitate to contact me with any questions regarding the above materials.

Very truly yours,

JACQUELINE M. KASULIS  
Acting United States Attorney

By: /s/ Erik Paulsen  
Erik Paulsen  
Assistant U.S. Attorney  
(718) 254-6135

Enclosures

cc: Clerk of the Court (NGG) (by ECF) (without enclosures)



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

EDP  
F. #2018R02250

*271 Cadman Plaza East  
Brooklyn, New York 11201*

November 3, 2021

By Email, ECF, and Hand Delivery

Tor Ekeland  
Tor Ekeland Law PLLC  
30 Wall Street, 8th Floor  
New York, NY 10005  
tor@torekeland.com

Re: United States v. Douglass Mackey  
Criminal Docket No. 21-80 (NGG)

Dear Mr. Ekeland:

Enclosed please find the government's discovery in accordance with Rule 16 of the Federal Rules of Criminal Procedure. The government also requests reciprocal discovery from the defendant.

I. The Government's Discovery

A. Documents and Tangible Objects

Enclosed please find the following materials:

1. Documents related to a 2703(d) order dated on or about October 23, 2020, bearing Bates numbers GOV-MACKEY-00003158 – GOV-MACKEY-00003171;
2. A screenshot of a text exchange, bearing Bates number GOV-MACKEY-00003172;
3. Documents indicating numbers that contacted the 59925 Text Code, bearing Bates numbers GOV-MACKEY-00003173 – GOV-MACKEY-00003280 and GOV-MACKEY-00003288; and
4. Screenshots of Twitter activity, bearing Bates numbers GOV-MACKEY-00003281 – gov-mackey-00003287.

Please do not hesitate to contact me with any questions regarding the above materials.

Very truly yours,

BREON PEACE  
United States Attorney

By: /s/ Erik Paulsen  
Erik Paulsen  
Assistant U.S. Attorney  
(718) 254-6135

Enclosures

cc: Clerk of the Court (NGG) (by ECF) (without enclosures)